Amendments to the Specification

Please amend the paragraph spanning lines 8-15 at page 7 as follows:

The constrained rate transmitter further comprises a latency control transmitter 205 for communicating the predetermined maximum allowed transmission latency via a message to the constrained rate receiver. Optionally, the constrained rate receiver further includes a first bit allocation table controller for configuring, in accordance with the first bit rate, a first bit allocation table for symbols transmitted during the first noise phase; and, a second bit allocation table controller for configuring, in accordance with the second bit rate, a second bit allocation table for symbols transmitted during the second noise phase.

Please amend the paragraph spanning lines 9-25 at page 9 as follows:

A constrained rate receiver includes a first bit allocation table controller for configuring, in accordance with the first bit rate, a first bit allocation table for symbols transmitted during the first noise phase; and a second bit allocation table controller for configuring, in accordance with the second bit rate, a second bit allocation table for symbols transmitted during the second noise phase. The first noise phase optionally corresponds to a first signal-to-noise ratio, and the second noise phase corresponds to a second signal-to-noise ratio. The second signal-to-noise ratio is higher than the first signal-to-noise ratio. The constrained rate receiver also includes a second bit rate controller for determining the second bit rate based on the second signal-to-noise ratio. The constrained rate receiver also optionally includes a first bit rate controller for determining the first bit rate based on the second bit rate and the pre-determined maximum allowed transmission latency. The first bit rate controller comprises a controller for determining the first bit rate in accordance with the following equation:

$$R_1 = -R_2 * \frac{S_2}{S_1} * \frac{latency * C + SymTime * S_1}{latency * C - SymTime * S_{21}}$$

Please amend the paragraph spanning lines 22-28 at page 13 as follows:

In order to derive the equation given above for calculating the first bit rate 303 in the embodiment of FIG. 3, we note that, in an Annex C solution, i.e. dual bit map operation, the consequence of a time varying noise environment is that of a time varying bit rate. To illustrate the effect of this, we consider a general system with two different bit rates that will be applied periodically in time, i.e. the bit rate R_1 is applied during a period T_1 and the bit rate [[R2]] R_2 which is smaller than R_1 is applied during a period [[T_1]] T_2 Such a scenario is illustrated in FIG. 4.

Please amend the paragraph spanning lines 11-29 at page 18 and lines 1-3 at page 19 as follows:

In one variant the invention provides a method ~~comprises~~ for determining a first bit rate for symbols transmitted during the first noise phase, and a second bit rate for symbols transmitted during the second noise phase, the first bit rate and the second bit rate being constrained such that a transmission latency does not exceed a pre-determined maximum allowed transmission latency; and transmitting symbols at the first bit rate during the first noise phase and at the second bit rate during the second noise phase. The method optionally comprises communicating the predetermined maximum allowed transmission latency via a message to a receiver of the communications system. The method optionally comprises configuring, in accordance with the first bit rate, a first bit allocation table for symbols transmitted during the first noise phase; and configuring, in accordance with the second bit rate, a second bit allocation table for symbols transmitted during the second noise phase. If the first noise phase corresponds to a first signal-to-noise ratio, and the second noise phase corresponds to a second signal-to-noise ratio that is higher than the first signal-to-noise ratio. The second bit rate is determined based on the second signal-to-noise ratio; and the first bit rate is determined based on the second bit rate and the pre-determined maximum allowed transmission latency. In particular, the first bit rate is optionally determined in accordance with the following equation:

$$R_1 = -R_2 * \frac{S_2}{S_1} * \frac{latency * C + SymTime * S_1}{latency * C - SymTime * S_{21}}$$